

5139. Adulteration and misbranding of oats. U. S. * * * v. Sebastian Zorn and Thomas G. Williams (S. Zorn & Co.). Plea of guilty. Fine, \$300 and costs. (F. & D. No. 7444. I. S. Nos. 11689-k, 14675-k, 14680-k, 14682-k, 15835-k, 15962-k, 15963-k, 16104-k, 16157-k, 16161-k, 16163-k.)

On September 20, 1916, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sebastian Zorn and Thomas G. Williams, trading as S. Zorn & Co., Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 28, 1915, May 27, 1915, June 22, 1915, and June 24, 1915, from the State of Kentucky into the State of Virginia of quantities of oats which were adulterated and misbranded.

Analyses of a sample of the article in each shipment by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oats, which the said article purported to be.

Misbranding was alleged for the reason that said article consisted of, to wit, a mixture of oats and water and was offered for sale under the distinctive name of another article, to wit, number 2 white oats.

On October 2, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$300 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*